

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

LeRoy K. Wheeler, )  
                          )  
                          )  
Plaintiff,            )                           **ORDER**  
                          )  
                          )  
vs.                    )  
                          )  
State of North Dakota, Tim Schuetzle, and    )  
Leann K. Bertsch,     )  
                          )  
                          )  
Defendants.            )

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On November 21, 2008, Plaintiff filed a “motion to amend pleadings or add claims.” He requested the court to reconsider its order denying an earlier motion to amend. In addition, he requested leave of court to amend his complaint to include state law and equal protection claims. The court denied Plaintiff’s motion in an order dated December 16, 2008. On December 30, 2008, Plaintiff filed what the court has construed as a request for reconsideration of its December 16, 2008, order. Having reviewed the record, the court finds no basis for reconsidering its December 16, 2008, order. Accordingly, Plaintiff’s request for reconsideration (Docket No. 59) is **DENIED**.

**IT IS SO ORDERED.**

Dated this 6th day of January, 2009.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr.

United States Magistrate Judge